

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

SUSAN F. HARPER

No. 3:16-cv-00111-YY

Plaintiff,

OPINION AND ORDER

v.

**HOLLAND & KNIGHT LLP, a
foreign limited liability partnership**

Defendant.

MOSMAN, J.,

On August 7, 2017, Magistrate Judge Youlee Yim You issued her Findings and Recommendation (“F&R”) [41], recommending that Defendant’s Motion for Partial Summary Judgment [27] should be GRANTED. Plaintiff Harper objected [43] and Defendant Holland & Knight, LLP responded [44].

DISCUSSION

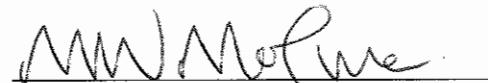
The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of

the magistrate judge as to those portions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

Upon careful review, I agree with Judge You's recommendation and ADOPT the F&R [41] as my own opinion. Defendant's Motion for Partial Summary Judgment [27] is GRANTED and Plaintiff's claims for common-law wrongful termination (3rd claim) and age-based hostile work environment (4th claim) are DISMISSED with prejudice.

IT IS SO ORDERED.

DATED this 26 day of September, 2017.



MICHAEL W. MOSMAN
Chief United States District Judge